



**Contra
Costa
County**

To: Board of Supervisors
From: John Kopchik, Director, Conservation & Development Department
Date: June 21, 2016

Subject: Rezoning of 2.41-Acre Property to Residential (R-20) from General Agricultural (A-2) for a Subdivision in Alamo; County Files #RZ15-3229 and MS15-0002

RECOMMENDATION(S):

A. OPEN the public hearing and receive testimony on the project;

B. CLOSE the public hearing;

C. FIND that on the basis of the whole record before the County (including the Mitigated Negative Declaration and Initial Study and any comments that have been received) that there is no substantial evidence that the project will have a significant effect on the environment, and that the March 1, 2016, Mitigated Negative Declaration prepared for this project reflects the County's independent judgment and analysis;

D. ADOPT the March 1, 2016 Mitigated Negative Declaration and Mitigation Monitoring Program for the purpose of satisfying this project's compliance with the California Environmental Quality Act;

E. ADOPT the findings contained in County Planning Commission Resolution No. 10-2016 as the basis for the Board's approval;

☒ APPROVE

☐ OTHER

☒ RECOMMENDATION OF CNTY ADMINISTRATOR

☐ RECOMMENDATION OF BOARD COMMITTEE

Action of Board On: **06/21/2016** ☒ APPROVED AS RECOMMENDED ☐ OTHER

Clerks Notes:

VOTE OF SUPERVISORS

AYE: Candace Andersen, District II
Supervisor
Mary N. Piepho, District III
Supervisor
Karen Mitchoff, District IV
Supervisor
Federal D. Glover, District V
Supervisor

ABSENT: John Gioia, District I
Supervisor

I hereby certify that this is a true and correct copy of an action taken and entered on the minutes of the Board of Supervisors on the date shown.

ATTESTED: June 21, 2016

David Twa, County Administrator and Clerk of the Board of Supervisors

By: June McHuen, Deputy

Contact: Sharon Gong (925)
674-7802

cc:

F. ADOPT Ordinance No. 2016-14 rezoning the subject property from the General Agricultural (A-2) zoning district to the Single-Family Residential (R-20) zoning district.

G. DIRECT Conservation and Development staff to file a Notice of Determination with the County Clerk.

RECOMMENDATION(S): (CONT'D)

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FISCAL IMPACT:

None. All County costs are recovered through payment of application processing fees by the project applicant.

BACKGROUND:

I. Summary

This is a hearing for a request to approve the rezoning of the subject site from the General Agricultural (A-2) zoning district to the Single-Family Residential (R-20) zoning district. The project site is a 2.41-acre site located at 20 Alamo Glen Trail, in Alamo. The County Planning Commission approved the tentative map for a four-lot minor subdivision on May 24, 2016, contingent upon the approval of the rezoning.

II. Analysis

The 2.41-acre subject property is located within the Single-Family Residential – Low Density (SL) General Plan land use designation and within the General Agricultural (A-2) zoning district. The SL land use is a residential designation, which generally allows detached single-family homes and their accessory structures, whereas A-2 is an agricultural district that allows one single-family home for each lot, but is primarily intended for agricultural uses. According to the 2005-2020 General Plan, the SL designation is mainly compatible with the R-15, R-20, R-40, and residential P-1 zoning districts. Thus, the A-2 zoning for the site is not consistent with the SL General Plan land use.

The surrounding properties are all in single-family residential zoning districts (R-20 and residential P-1). Approval of the rezoning from A-2 to R-20 will bring the site into consistency with the surrounding single-family residential zoning and the SL General Plan designation, and will allow the subdivision of the 2.41-acre site into four lots, which will be developed in the future with a single family residence on each lot, thereby making the site consistent with other developments in the area.

II. County Planning Commission Hearing

The project was heard by the County Planning Commission on May 24, 2016. No public comments were received in opposition to the project at the hearing. The Planning Commission conditionally approved the tentative map and adopted a recommendation that the Board of Supervisors approve the rezoning to the R-20 zoning district. Minor modifications to Conditions of Approval #61 and #62 were made at the recommendation of staff to address the timing of storm water facilities requirements.

III. Environmental Review

In accordance with the provisions of the California Environmental Quality Act (CEQA) and State and County CEQA Guidelines, an initial study was prepared for the project to identify any potential environmental impacts. The initial study identified impacts in the areas of air quality, biological resources, cultural resources and geology/soils. Mitigation measures were added to the project to reduce these impacts to be less than significant.

On March 1, 2016, the Notice of Public Review and Intent to adopt a Mitigated Negative Declaration was circulated, and the initial study posted with the County Recorder's office for a 20-day review period. One letter from the East Bay Municipal Utility District was received in response to the posting, advising that standard procedures for water service connection should be followed.

The County Planning Commission adopted the Mitigated Negative Declaration for the subdivision at the May 24, 2016 hearing, and staff is recommending that the Board of Supervisors adopt the Mitigated Negative Declaration for the rezoning.

IV. Conclusion

Staff recommends that the Board of Supervisors approve the rezoning, as recommended by the County Planning Commission.

CONSEQUENCE OF NEGATIVE ACTION:

If the Board of Supervisors denies the application, then the zoning district for the subject property would remain General Agricultural (A-2), which is not consistent with the SL General Plan designation, and the tentative map approval by the County Planning Commission, County File #MS15-0002 would be void.

CHILDREN'S IMPACT STATEMENT:

Approval of the rezoning will allow the subdivision of the property into four new residential lots, which will provide new housing that is safe, and will provide a high quality of life for children and families, in accordance with the Children's Report Card (#5).

CLERK'S ADDENDUM

CLOSED the hearing; FOUND that there is no substantial evidence that the project will have a significant effect on the environment, and that the March 1, 2016, Mitigated Negative Declaration prepared for this project reflects the County's independent judgment and analysis; ADOPTED the March 1, 2016 Mitigated Negative Declaration and Mitigation Monitoring Program for the purpose of satisfying this project's compliance with the California Environmental Quality Act; ADOPTED the findings contained in County Planning Commission Resolution No. 10-2016 as the basis for the Board's approval; ADOPTED Ordinance No. 2016-14 rezoning the subject property from the General Agricultural (A-2) zoning district to the Single-Family Residential (R-20) zoning district; and

DIRECTED Conservation and Development staff to file a Notice of Determination with the County Clerk

ATTACHMENTS

CPC Resolution 10-2016

Ordinance No. 2016-14 Map

General Plan Map

Zoning Map

Aerial Photo

Mitigated Negative Declaration/Initial Study

Mitigation Monitoring Program

CPC Staff Report

CPC Approved Conditions

RZ15-3229 Slide Presentation